

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ERIC GRIFFIN,

Plaintiff,

vs.

LAS VEGAS REVIEW JOURNAL

Defendant.

2:10-cv-01253-GMN-LRL

**ORDER**

Plaintiff has appealed this court's Order dismissing this action with prejudice as delusional and factually frivolous (*see* docket #3) to the U.S. Court of Appeals for the Ninth Circuit.

First, plaintiff has filed a motion for leave to proceed *in forma pauperis* on appeal (docket #10) and an emergency motion for appointment of counsel on appeal (docket #11). However, this court certifies that any *in forma pauperis* appeal of its Order of August 9, 2010 (docket #3) would not be taken "in good faith" pursuant to 28 U.S.C. § 1915(a)(3). *See Coppedge v. United States*, 369 U.S. 438, 445 (1962); *Gardner v. Pogue*, 558 F.2d 548, 550 (9th Cir. 1977) (indigent appellant is permitted to proceed *in forma pauperis* on appeal only if appeal would not be frivolous). Accordingly, these motions are denied.

With respect to the various other motions filed in this court by plaintiff, as he has appealed the dismissal of this action to the Ninth Circuit, this court has no jurisdiction over this action until the Ninth Circuit rules on his appeal. As such, plaintiff's motions are denied. Plaintiff is directed to file nothing further with this court at this time.


**IT IS THEREFORE ORDERED** that this court **CERTIFIES** that any *in forma pauperis* appeal from its August 9, 2010 Order (docket #3) would not be taken "in good faith" pursuant to 28 U.S.C. § 1915(a)(3).

1                   **IT IS FURTHER ORDERED** that plaintiff's motion for leave to proceed *in forma*  
2 *pauperis* on appeal (docket #10) and emergency motion for appointment of counsel (docket #11) are  
3 **DENIED.**

4                   **IT IS FURTHER ORDERED** that the following motions: motion to change venue  
5 (docket #7); motion to extend time on all matters (#12); and emergency motion to arrest all suspects  
6 (docket #14) are **DENIED.**

7                   **IT IS FURTHER ORDERED** that plaintiff shall file no more documents in this closed  
8 case. Any such documents shall be returned, unfiled, to plaintiff.

9                   DATED this 5th day of November, 2010.

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13 Gloria M. Navarro  
14 United States District Judge  
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